

VOL. LXXIX.—NO. 137.

NEW YORK, MONDAY, JANUARY 15, 1912. Copyright, 1912, by the Sun Printing and Publishing Association.

PRICE TWO CENTS.

TO RESCIND INCOME TAX RATIFICATION?

Men in Both Parties in This State Considering Possibilities.

ASK LAWYERS AS TO POWER

Presidents Against It Under the Rulings of Secretaries Seward and Fish.

There have been consultations recently among Democrats and Republicans looking to legislation at Albany this winter which shall rescind the ratification of the proposed Federal income tax amendment. Two winters ago the Republicans at Albany rejected the proposed amendment, but the Democrats in the Senate on April 19, 1911, ratified it by a vote of 35 to 16, and in the Assembly on July 12 last the vote ratifying the proposed amendment was 91 in favor to 43 against. The ratification by the Democratic Legislature was in conformity to the plank in the Rochester platform of 1910. This amendment to the Constitution of the United States was proposed as a joint resolution at the first session of the Sixty-first Congress, passed by the Senate July 5, 1909, unanimously and by the House of Representatives on July 12, 1909, by a vote of 317 to 14 and received the approval of President Taft. The joint resolution reads as follows:

Resolved, By the Senate and the House of Representatives of the United States of America in Congress assembled, two-thirds of each house concurring therein, that the following article is proposed as an amendment to the Constitution of the United States, which, when ratified by the Legislatures of three-fourths of the several States, shall be valid to all intents and purposes as a part of the Constitution.

Article XVI. The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

The affirmative of thirty-five States necessary to ratify the proposed amendment. Thirty States have ratified it: Alabama, California, Colorado, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Michigan, Mississippi, Missouri, Montana, Nebraska, Nevada, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, South Carolina, South Dakota, Tennessee, Texas, Washington and Wisconsin. Seven States have refused to ratify it: Connecticut, Louisiana, Massachusetts, New Hampshire, New Jersey, Rhode Island and West Virginia.

There have been no legislative action, Delaware, Florida, Minnesota, Pennsylvania, Utah, Vermont, Virginia, Wyoming, New Mexico and Arizona. The lower house of Virginia rejected it, and only one house passed it in Florida and Minnesota. Arkansas passed it, but the governor vetoed the resolution on a constitutional question which has not yet been settled.

Gov. Hughes, now Associate Justice of the Supreme Court of the United States, sent a special message opposing the ratification of the amendment by the Republican Legislature in which he said: "The power to tax incomes should not be granted in such terms as to subject Federal taxation the incomes derived from bonds issued by the State itself or those issued by municipal governments organized under the State's authority. To place the borrowing capacity of the State and of its governmental agencies at the mercy of the Federal taxing power would be an impairment of the essential rights of the State which its officers are bound to defend."

Gov. Hendrick, the Democratic candidate for Governor in 1914, sent a letter on May 22 last to the Judiciary Committee of the Legislature a lower house opposing the ratification of the income tax amendment.

The consultations of influential Democrats and not a few Republicans looking to legislation to rescind New York's ratification of the amendment have got as far as to bring in eminent lawyers, among them William M. Evans. The task of the lawyers has primarily been to search for precedents by which the action of last year's Legislature ratifying the amendment could be rescinded and have the rescinding act accepted by the Secretary of State at Washington. A constitutional point is the Secretary of State who certifies to the constitutionality of all acts passed by State Legislatures affecting the Federal Government or the Federal laws. Most of the lawyers thus consulted have been yet found the necessary precedents to warrant the introduction at Albany of legislation looking to the rescission of the ratification, but they are to continue their search for further precedents in the hope of finding substantial backing for the introduction of the legislation at Albany.

Mr. Evans found that Ohio and New Jersey just after the close of the civil war nullified the Fourteenth Amendment to the Constitution of the United States and afterward rescinded their action. Whereupon William H. Seward, Secretary of State, refused to accept the second action and held that the two States must abide by their first decision. The Fourteenth Amendment was ratified by twenty-three Southern States, rejected by Delaware, Kentucky and Maryland and ten Southern States and not acted on by California. The ten Southern States subsequently nullified it under pressure. It was proclaimed as a law on July 28, 1868.

New York State at first rescinded the Fourteenth Amendment and then rescinded the ratification on January 5, 1870, but Hamilton Fish, Secretary of State, would not accept the second vote. The Fifteenth Amendment was not acted on by Tennessee. It was rejected by California, Delaware, Kentucky, Maryland, New Jersey and Oregon and ratified by the remaining thirty States of those days and proclaimed a law on March 30, 1870.

The case was summed up last night as follows. Even if we can bring substantial precedents to bear on such legislation, would Secretary Knox, provided the determining power rests with a Re-

publican Secretary of State, accept the second decision of the Legislature? Or, in the event of a Democratic Secretary of State being called upon for final decision as to the constitutionality of a rescission act, would he follow in the footsteps of Seward and Fish?

Secretary Knox's own State of Pennsylvania has not taken any action on the Federal income tax amendment.

RUSSIANS IN MONGOLIA.

Harbin Says They've Crossed Border in Three Places. Anti-American Move.

Special Cable Despatches to THE SUN. ODESSA, Jan. 14. A despatch from Harbin, Manchuria, says the Russians have crossed the Mongolian frontier at three points. A proclamation of a Russian protectorate is daily expected.

LONDON, Jan. 15. A Pekin despatch to the Daily Telegraph says the recent Russian railway demands were prompted by the knowledge that the so-called American group of financiers wish to transfer their abortive Chinchow-Aigun railway scheme to a line from Kalgan to the Siberian frontier, which Russia will never permit.

TWO HORNED RHINO DRUNK.

Tried to Rip Up Keeper Snyder After an Extra Horn of Whiskey.

Old Smiles, the two horned rhinoceros in the Central Park menagerie, got fighting drunk yesterday and tried to impale Head Keeper Billy Snyder who was treating her for an incipient attack of pneumonia.

When Snyder arrived yesterday morning he found her shivering, and her short, quick breathing scared him. Old Smiles has been in the park since 1886 and for a long time was the only two horned specimen of her tribe in this country. Her money value is considerable and the head keeper set to work to save her if possible. A dose of whiskey and quinine in proportion to her size was prepared. Her weight is about two tons, so two quarts of whiskey and an ounce of quinine were adjudged the proper dose and this was mixed with bran mash and ladled through the iron bars into the trough in her stall. Old Smiles seemed to like the mixture and ran around the enclosure grunting for more.

Snyder took a blanket and climbed a ladder to the top of the stall, but as the rhino's small eyes began to blink as he came down the ladder, when he went toward her with the blanket she lowered her head, projected the sharp point of the long horn and charged upon him. The head keeper has been made nimble by experience and he sidestepped the rhino's rush. She turned about and went after him again. Snyder was kept so busy running, jumping and dodging that he could not get up his ladder for sometime. After several narrow escapes from her horns he did climb up the ladder out of harm's way.

Later he roped Old Smiles and got the blanket around her and stopped up all the cracks in the stall that let in the wind.

GUNDA JUST MISSED KEEPER.

Then Big Elephant in Rage Smashed a Half Ton Steel Gate.

Keeper Dick Richards took a chance with Gunda, a 7,800 pounds of moon elephant, yesterday afternoon in the Bronx zoo, and Gunda smashed a half ton steel gate just to show Dick what might have happened to him. Walt Thuman is the only keeper that can get along with Gunda, but he was busy yesterday at feeding time and Richards went into the cage from the room with an armful of hay.

The elephant waited just long enough for Richards to get within range and then lurched forward. Dick started the run of his life to the door that opens into Gunda's enclosure. He made it just in time. Gunda closed the steel gatehead on and he doubled with the impact. It took Walt Thuman half an hour to soothe the trumpeting of disappointment that followed. Richards isn't going near that enclosure again if Gunda starves to death.

BURIED IN COAL POCKET.

Workman Fell In, More Coal Was Dumped on Him, but Shovel Saved Him.

A workman in the Meyer, Dinken & Senraun coal yards at the foot of Fifth Street, Nicholas Schlaegel of 132 Avenue D, fell into a coal pocket yesterday morning and was nearly suffocated in the pea coal before he was pulled out. He fell in just in time to get the contents of a bucket on top of him. He was not missed for several minutes and he slid down in the fine coal until he was buried deeply and the buckets kept on emptying their loads into the pocket.

Fortunately Schlaegel hung on to his shovel when he went down and held it over his head in such a way that it protected his face and made a little space for him to breathe. Finally he was missed, and his shouts, coming faintly from the pit, were heard. Workmen tossed down boards and then got in on top of the boards and prodded around in the coal until they located Schlaegel. Then they pushed down their shovels and when he got hold of them pulled him out.

HOTEL FIRE TRAPS MANY.

Other Guests of Vaudeville House Flee From Flames to Zoo Streets.

BALTIMORE, Jan. 14.—Roused from sleep by the cry of "Fire!" soon after dawn on the coldest morning of the winter scores of guests at the Hotel Theodore, a resort for vaudeville people, 702 and 704 East Baltimore street, were forced to flee. Clad in the flimsiest garments, some barefoot, men and women ran from the burning building into the ice covered streets. Panic seized the guests as the flames swirled up from the cellar and smoke spread through the house.

Those who waited to don a few clothes found themselves trapped. When the firemen arrived in response to a double alarm they found the windows full of shrieking guests, some of whom were ready to jump from the fire, which was closing in behind them.

Quick work on the part of the police, firemen and a few citizens resulted in the rescue of all of the guests without any loss of life.

Lewis De Long, a one armed actor, was the most seriously injured. His wife insisted that the firemen carry him out before she would allow them to save her.

U. S. COURT FROWNS ON THE TURKEY TROT

Receiver Skillin Makes the Cafe des Beaux Arts Cut It Out Altogether.

POETRY OF MOTION, MAYBE

But Uncle Sam Takes a Prosaic View—Judge Holt Sees Order Carried Out.

The United States District Court has frowned on the turkey trot and its frisky little sisters, grizzly bear, bunny hug, piccadilly crawl and Galy glide. Nothing official, of course, but a straight intimation to Jacques and Andre Bustanoby that the nightly high jinks in the art room of the Cafe des Beaux Arts won't do. So the trot and the grizzly, not to mention the scissors and the tangalang tap, have lost another jolly home. Where, a few nights ago, people who hate to go to bed early, swayed and undulated with sliding feet to the accompaniment of a negro orchestra, popping corks, tinkling glasses and shouts of merriment, all is perfectly proper and a little gloomy.

The news that the Federal court had joined in the ban on the dances which originated in San Francisco's Barbary Coast, New Orleans resorts and negro dance halls from Chicago to Mobile, got out yesterday when patrons of the Cafe des Beaux Arts displayed neatly engraved cards which bore the request of the Bustanobys that the trot and similar dances be cut out.

"In order," the card read, "to comply with official orders guests will please refrain from dancing the turkey trot, grizzly bear and other similar dances. Guests unaccompanied by ladies will not be served in the art room at supper."

Jacques Bustanoby, who is associated with his brother Andre in the job of trying to pull the restaurant at Sixth avenue and Fortieth street out of its financial difficulties, explained yesterday what had led to the order.

Mr. Bustanoby said that Augustus H. Skillin of 34 Park street, who has appointed receiver of the restaurant by United States District Judge George C. Holt when the Beaux Arts failed three weeks ago, had directed him to abolish the dances. Mr. Skillin, whose duties as receiver kept him around the restaurant pretty much night and day, had observed the dances and had made up his mind that he didn't care for them at all.

"Mr. Skillin told me," said Mr. Bustanoby, "that he had read the newspaper comments on the dances and that these comments seemed to reflect public opinion. He had heard also that Mayor Gaynor thought the turkey and the others were a bit too utterly unfit for a moral community and that he considered it his duty as an officer of the court, responsible for the proper conduct of the restaurant, to put his foot down."

Gaynor thought the turkey and the others were a bit too utterly unfit for a moral community and that he considered it his duty as an officer of the court, responsible for the proper conduct of the restaurant, to put his foot down. "I got the impression," said Mr. Bustanoby, "that Mr. Skillin had consulted with Judge Holt and had received the Judge's approval. Judge Holt looked in here last night, but there was no dancing. But I make this prediction, that in a short time, a year or two, these dances that have troubled everybody will be as common as an ordinary waltz or tango."

There is nothing suggestive or offensive about them provided they are performed modestly. You can make a waltz or a tango or a quadrille suggestive if you go about it. To me the turkey trot is the poetry of motion, a rhythmic dream."

For many weeks before the order stopped trotting and bearing at the Beaux Arts the art room, the main restaurant, which is on the first floor at the Broadway and Sixth avenue corner, was the scene between 11 P. M. and sunup of perhaps the liveliest doings in a lively district. Crowds besieged the doors. The lead waiters, lost their English and grew red in the face assuring eager folks that positively there were no more tables. You had to go early to get accommodations. Tables were reserved days in advance. The receipts of the restaurant mounted handsomely, 40 per cent. higher than they were at the same time last year before the turkey trot came to fame.

Last Friday night, when the Beaux Arts patrons flocked in from the theatres and aft of the footlights, there was a surprise for them. After a preliminary dip into the grape several couples strolled to the waltz floor, set themselves with tentative rise and fall of the shoulders that measures the rhythm of the music and started the dance. But waiters stopped them quickly. They were sorry, but it couldn't be helped. The Bustanobys were summoned and explained the situation. One could waltz or two-step but one must not trot or bear. Positively not. Never! Absolutely defended! There was almost a riot, but the Bustanobys stood firm. They had a dance hall license, but they weren't, they said, going to disobey a court order, and that is what they considered Receiver Skillin's request to be. By Saturday night the melancholy news had got around pretty well that the intoxicating dances had lost another home, and there were missing a number of regular patrons who were devotees of the fad. Mr. Bustanoby hoped yesterday that the abolition of the dances wouldn't make much difference in business.

Mrs. Winthrop Gray Loses Diamonds. Mrs. Henry Winthrop Gray of a West Forty-ninth street reported to the police yesterday, through her lawyer, D. W. Hageman, that she had lost a diamond brooch on Saturday afternoon somewhere between the Grand Central Station and her home. She made the trip in a taxi cab. The brooch, comprising one large diamond surrounded by two circles of smaller diamonds.

SOUTHERN RAILWAY. PREMIER CARRIER OF THE SOUTH. Via New York, Baltimore, Washington, Philadelphia, New York, N. Y. Office, 200 Fifth Ave., Cor. 20th St. Telephone 9914. Madison St. Ad.

SIX DEAD AT GRADE CROSSING.

Party Going to Early Church Killed Near Philadelphia.

PHILADELPHIA, Jan. 14. Because the grade crossing over the Pennsylvania Railroad at Linden avenue, Torresdale, was unprotected early this morning five persons were killed instantly and another died within regaining consciousness a few minutes later. The dead were in a wagon on their way to early mass when an express train going sixty miles an hour struck them. Five of them were women servants employed by two Torresdale families. The other was the driver of the wagon, Charles Davidson, 50 years old, driver for Lewis C. Brunner, Irvyman. He was married. The women were Nellie O'Connor, 19, Rose Gallagher, 18, Mary Roddy, 20, all employed by A. Mercer Biddle of Torresdale, Bridget Malloy, 42, and Agnes Garrity, 22, both employed by Mrs. Walter Massey. Davidson had been employed by Brunner for several years and was known as a steady man.

For two years he had been Davidson's custom to drive the five girls to early mass at St. Dominic's Church, Collegeville, near Holmesburg. He reported at this morning about 6:30 o'clock. The cold was bitter and the five young women huddled together in the closed vehicle. Davidson was well bundled up and had his collar turned up about his ears.

As the team approached the crossing a freight train was passing and Davidson waited for it to get by. Bundled up as he was he failed to see the express. When the freight had passed he drove directly in front of the express. The locomotive was not twenty feet away. The debris and bodies were scattered along the road for seventy-five yards. Agnes Garrity was still breathing faintly when picked up, but died in a few minutes.

The horse escaped unhurt. As soon as he felt the wagon wrenched from him he dashed away and after a run of two miles was captured by a policeman. At the scene of the accident there is a stretch of straight track for a mile through an open country, and a train coming from either direction can be seen a long distance from the crossing. The train was N. 4 coming from Washington bound for New York and due to leave Broad street station at 4:28 A. M. As it was two hours late the engineer was endeavoring to make up for lost time. Knowing that a watchman should be at the crossing and having a clear track he felt everything was safe.

Nellie O'Connor was engaged to be married.

HAMMERSTEIN GETS CARUSO?

Famous Tenor to Sing in London for a Summer Season, Secretary Says.

Special Cable Despatches to THE SUN.

LONDON, Jan. 14. Enrico Caruso's secretary stated, the London Opera House to-night and examined the auditorium and stage to see, according to his statement, "what Caruso is up against." It is understood that Oscar Hammerstein has made a contract with the famous tenor for a summer season, and that he will open in "The Ball in Maschera." He will also sing in "Mignon Lescaut."

Manager Forsyth of Covent Garden said to-night that he had made overtures to Caruso to sing at his house in June, but that he received reply that it would be impossible owing to the fact that the singer would be in New York for his present engagements until April, that he was to sing in Paris in May, and that afterward he would take a three months holiday.

Caruso was in bed at the Hotel Knickerbocker at 9 o'clock last night, according to the word he sent down, and he wouldn't get up to talk about his plans. Oscar Hammerstein's daughter, Miss Stella Hammerstein, was surprised when she heard the report that her father had got Caruso for the summer. He told her nothing about it, said she, when he was here, and she had understood that for the first time in several years Caruso was to sing at Covent Garden this summer.

Arthur Hammerstein said last night that his father had negotiated with Caruso for a summer's singing, but that the tenor told him he was very tired when the summer came. Oscar Hammerstein, said the son, didn't want a tired tenor on his hands so he let the matter drop.

GIRL BEATEN AFTER THEATRE.

Attacked and Robbed Following Party at Brooklyn Show.

Miss Helen Duchan, a young woman who lives with her family at 121 Second street, Union Course, Jamaica, was found lying on the sidewalk on Shore avenue between her home and the Union Course station of the Long Island Railroad just after midnight yesterday morning. Her eyes had been blackened so badly that they were closed and there were bruises on her shoulders and arms. Her story and that of the detectives on the case do not agree.

She was found by Frederick Donner of Union Course and his wife, who had just got off a train at the station. Donner saw two or three men bending over her, and when he ran up they got away. Mrs. Donner found that Miss Duchan, who is 21 years old, wasn't able to see and she was helped to her home. There she told Capt. Ruthenburg of the Ozone Park station that she had been to the theatre in Brooklyn with a girl friend. They had had some conversation about the danger of Mr. Duchan's walking the six blocks to her home alone. Her friend was apprehensive, but Miss Duchan said she had done it before and wasn't afraid.

She jumped off the train, said Miss Duchan, and hurried along Shore avenue. She had gone about a block when she was grabbed from behind by some one who began beating her over the head and hitting her in the eyes. She hadn't time, she said, to see whether there were two or three men before she fell. That was all she knew except that when she was taken home she found that her eyes, her nose with a few dollars in it, and her muff and stole had been taken. She put her losses at \$100 and explained that she thought she saw some men leaving a saloon across the street just before she was attacked.

The police estimate the robbery at \$85.

PALE BEACH, MIAMI AND CUBA. Via New York, Baltimore, Washington, Philadelphia, New York, N. Y. Office, 200 Fifth Ave., Cor. 20th St. Telephone 9914. Madison St. Ad.

SCHUMANN-HEINK WILL SUE RAPP FOR DIVORCE

Opera Singer Announces Her Intention to Bring Action in St. Louis.

SEPARATED FOR MONTHS

Mother of Eight Children, Some of Whom Are Grown, Says They Are the Cause of the Differences.

ST. LOUIS, Mo., Jan. 14. Mme. Schumann-Heink, the opera singer, who is in private life Mrs. William Rapp, said to-night that she will soon file a suit for divorce against her husband. The two have been separated for several months.

She said that she would not say a single word against him, but that it would be better for them if they separated.

"It is my children who have caused the separation," she said. "He could not understand. He has no children and I have eight, some of them grown up."

She said that when it came to a question as to whether she should stick to her children or to her husband she would stay by the children. "They are my life and I love them with every breath I draw."

She said that her husband thought that she did more for her children than she did for him. "I presume he was right in so thinking. What good mother would not give all she had for her children?"

It was reported in the spring of 1908 that Mme. Schumann-Heink was about to sue her third husband, William Rapp, Jr., for divorce. Both the singer and her husband characterized the report as absurd. Mme. Schumann-Heink adding that it was circulated in an effort to injure her. The singer and her husband were together at their home at North Caldwell, N. J., at the time.

Mme. Schumann-Heink is now 56 years old. Her husband is about 36. They were married in Chicago on May 27, 1905. Mr. Rapp is a son of the proprietor and manager of the Illinois State Zeitung.

Mme. Schumann-Heink was born Ernestine Roessler, and she has eight children, of whom her eldest is now about 28 years old. She filed her application for first citizenship papers in 1903 before her marriage, which marriage of itself made her an American citizen.

She was born in Lieben, near Prague, the daughter of a poor officer in the Austrian army. She was educated in the Austrian convent at Prague and in the convent first began studying singing. When she was 13 years old the family moved to Gratz. Although she had not yet obtained much knowledge of music, she earned a little money by teaching singing and thus enabled herself to attend the opera and to study further.

She was engaged as the principal contralto of the Dresden court opera before she was 17 years old. Her debut was made on October 15, 1878, in "Hilf Dir selbst." Three years later her contract was cancelled because she married without the consent of the director of the opera. For a year she tried to get back into the Dresden opera, and then, not succeeding, she went to Hamburg and appeared there, and later appeared in various opera houses on the Continent. Because of the success she won at Bayreuth in 1896 Maurice Grau engaged her to come to the Metropolitan for the season of 1898. She has sung in America since that time, making this country her home.

In 1904, Mme. Schumann-Heink decided to try light opera, and her appearances in "Love's Lottery" resulted. She returned to the grand opera and concert stage two years later. Recently she has been heard only in concert. She is now singing under the management of the Quinlan Bureau.

The singer has always been known for an unusually keen love of domestic life.

CRUISERS PUT BACK FOR COAL.

North Carolina and Washington Run Into the Roads to Get Fuel After Storm.

NORFOLK, Va., Jan. 14. The armored cruisers North Carolina and Washington, which were roughly handled by the recent gale, came in from sea this afternoon, passing Cape Henry inbound at 1 o'clock and arriving at Hampton Roads before midnight.

They immediately communicated with the Norfolk Navy Yard by wireless and were informed that a barge would be sent down to the yard those of her boats which were damaged in the blow outside and that the coal which they put back here to get would be barged out to them to-morrow.

TO FLY FROM SEA TO HAMBURG.

Hugh Robinson Will Rise From the Deck of the Amerika.

Special Cable Despatches to THE SUN.

LONDON, Jan. 14. The captain of the Hamburg-American steamship Amerika, now on her way from New York for Hamburg, has arranged with Aviator Hugh Robinson to ascend from the deck of the ship as she passes that port and fly to one of the public parks of the city.

The Amerika will be stopped if necessary in order to enable Mr. Robinson to take advantage of the wind.

THIRTY-FOUR HURT IN WRECK.

Five May Die of Injuries Received When Big Four Train Leaves Track.

KENTON, Ohio, Jan. 14.—Thirty-four persons were injured, five probably fatally, when Big Four train No. 1 was wrecked by a split rail four miles from Carey shortly after noon to-day. Eleven of those injured were brought on a special to the hospital here for treatment.

The combination diner left the rails first, dragging two other coaches after it. The train bumped over the ties for 500 feet and then two of the three coaches tumbled into a ravine.

When you get genuine Antidivine Whiskey you have the best the world affords. Luyke Bros., New York, Ad.

SWINDLED EVEN THE POPE.

Pretended Priest Got \$200,000 From Church Magnates—Police Get Him.

Special Cable Despatches to THE SUN.

ROME, Jan. 14. Giovanni Battista Gindri, a pseudo-Roman Catholic priest, was arrested here to-day on a charge of extensive swindling. He has also been known as Mgr. De Seigny, Prince of Belmonte. He confessed to the police that he had swindled the Pope, many cardinals and religious orders and royal personages out of a million francs, or about \$200,000.

Gindri not only pretended to be a priest, but celebrated mass regularly. He is wanted in several countries, particularly in France, Germany and Austria, where he pretended to be an emissary of the Pope and swindled the Roman Catholic clergy and many diplomats.

The police found in his baggage a large quantity of money and jewelry and the Pope's photograph with an autograph dedication.

WATCHING BIRTH OF WORLDS.

Astronomers on Mount Wilson Photograph Progress of New Stellar System.

LOS ANGELES, Jan. 14. Astronomers on the summit of Mount Wilson are watching the birth of a new stellar system through the giant reflecting telescope and with a camera they are keeping record of the progress of the birth of worlds.

One of the most remarkable photographs ever made has just been prepared by Dr. Edward A. Fath with the aid of the sixty inch reflector. The picture shows spiral nebulae apparently in the very act of crystallizing into unnumbered new suns.

For days the astronomers have been watching the growth of the nebulae, which has gradually assumed spiral form, indicating that it is rotating. It has also been observed to be separating into fragments which are destined, it is thought, to become celestial bodies.

With Dr. Fath at the Observatory is Dr. Arnold Kohlschutter.

SNOW CAME LATE AT NIGHT.

Weather Got Almost Warm Just After Dropping Close to Zero.

The fluctuations of the temperature here yesterday ranged after daylight, between a few degrees above and 25 degrees. The mercury stood at 1 above zero at 4:45 A. M. rose to 25 degrees at 1 P. M., fell to 16 at 5 P. M., and then ran up the tube, marking 21 at 11 P. M., when the snow began to fall. The wind was light from the northeast. The Washington and local prophets said that we were in for snow to-day and that it would be colder to-night, with northwesterly winds.

The Municipal Lodging House last night had 700 men, 25 women and about 15 children, and the steamboat Thomas S. Brennan had about 100 men. There were many cases of frost bitten hands. John Van Epps, 80 years old, of 606 Sixth avenue was taken to Bellevue suffering from exposure and died within an hour.

At the Bowery Mission last night 450 men were sent away to beds in the lodging houses nearby. There were more than 500 sleeping in the mission itself. Clothing was given out all day.

WALK ACROSS THE HUDSON.

People Perform Feat for First Time in 20 Years at Yonkers.

YONKERS, N. Y., Jan. 14.—For the first time in twenty years persons walked across the Hudson river on the ice at this point to-day. Walter Rudman, a mate on the tugboat Jos Peene, was the first one to venture across. He walked from the Yonkers Public Dock to Alpine, N. J., and back in three-quarters of an hour. Later several others, including several women, made the trip. The river is about a mile wide here. The ice varies in thickness from two or three inches to nearly a foot.

AIM RIFLE WITHOUT RANGE.

British Marksman's Slight Raises Skirmish Hits From 19 to 95 Per Cent.

Special Cable Despatches to THE SUN.

EDINBURGH, Jan. 14. Volunteer Sergeant Ommundsen, the winner of the King's prize for shooting at Bishley, has invented a rifle sighting device which eliminates the necessity of finding the range.

Experts are enthusiastic over the invention, and military and naval authorities are testing it with a view of having it adopted in these arms of the service. It is based on the geometrical theory of angles but is very simple in operation.

Ommundsen says that tests under skirmishing conditions have shown a percentage of hits of 95 as compared with 19 by ordinary sights.

10,000 MARCH WITH BIBLES.

Gypsy Smith Heads Novel Parade Through San Francisco Streets.

SAN FRANCISCO, Jan. 14.—Headed by a squad of mounted policemen and a band of thirty pieces, 10,000 men with Bibles in their hands marched through the streets of this city this afternoon while thousands of people stood on sidewalks and looked on.

At the head of the line marched Gypsy Smith, the evangelist, and Henry J. McCoy, secretary of the Y. M. C. A. The parade grew out of meetings now in progress here by Smith.

The line formed at Union Square and traversed some three miles of streets to Pavilion Park, where a meeting for men was held.

REFUSE CARNEGIE LIBRARY.

Racine, Wis., Thinks It's Too Rich to Accept "Charity."

RACINE, Wis., Jan. 14. The City Council in committee of the whole last evening refused by a vote of 4 to 4 to accept a gift of \$10,000 from Andrew Carnegie for a branch library at Racine Junction.

A labor union and individuals sent in communications protesting against the acceptance. Mayorfordland opposed the gift on the ground that he did not believe in accepting charity from outsiders and that Racine